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BROOKDALE SENIOR LIVING INC. and

BROOKDALE SENIOR LIVING COMMUNITIES, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

STACIA STINER, et al., ) Case No. 4:17-CV-03962-HSG

Plaintiffs, ) **STIPULATION ON CONTINUANCE OF**  
v. ) **HEARING DATE SET FOR JUNE 30,**  
 ) **2022; ORDER (as modified)**

BROOKDALE SENIOR LIVING INC., et al. ) Judge: Hon. Haywood S. Gilliam, Jr.

Defendants. )

WHEREAS, the hearing on Plaintiffs' Motion for Class Certification [ECF No. 278] and on Defendants' *Daubert* motions [ECF Nos. 346, 347, 348, 350, 353, 355] was previously scheduled for June 16, 2022. *See* ECF No. 362.

WHEREAS, on June 8, 2022, the Court entered an order rescheduling the June 16, 2022 hearing for June 30, 2022. *See* ECF No. 531.

WHEREAS, Ms. Rutner, who is co-counsel for Defendants, will personally participate in the hearing on Plaintiffs' Motion for Class Certification and on Defendants' *Daubert* motions. See Ex. A (June 9, 2022 Declaration of E. Rutner) ¶ 4.

WHEREAS, because the hearing was previously scheduled for June 16, 2022, Ms. Rutner is committed to traveling with her children for sleepaway camp on June 28-29, 2022. *Id.* ¶ 5. Ms. Rutner then has a long-planned vacation scheduled to begin immediately thereafter on June 30, 2022, in connection with the weekend of July 4<sup>th</sup>. *Id.* Ms. Rutner has investigated whether she can reschedule the vacation but is unable to do so. *Id.*

WHEREAS, Ms. Rutner has deposed Plaintiffs' staffing experts in this case and is intimately involved in all aspects of the staffing allegations asserted by Plaintiffs. *Id.* ¶ 6. Accordingly, Defendants have selected Ms. Rutner to address these issues at the hearing. *Id.* ¶ 7.

WHEREAS, for the foregoing reasons, Defendants therefore respectfully request that the Court continue the hearing currently scheduled for June 30, 2022 to July 7, 2022.

THEREOFRE, IT IS HEREBY STIPULATED, that:

1. The hearing currently scheduled for June 30, 2022 will be continued to July 7, 2022.

## IT IS SO STIPULATED.

Dated: June 9, 2022.

MOORE & LEE LLP

By: /s/ Erica Rutner  
Erica Rutner  
Attorneys for Defendants

Dated: June 9, 2022

SCHNEIDER WALLACE

By: s/ Guy B. Wallace  
Guy Wallace  
Attala, MS D1, int. MSS.

## ORDER

Pursuant to the Stipulation, and for good cause shown, the parties' Stipulation is granted. The hearings currently scheduled for June 30, 2022 shall be continued to July 7, 2022. at 2 p.m.

DATED: June 13, 2022

Haywood S. Gilliam, Jr.

Haywood S. Gilliam, Jr.  
United States District Judge